

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Chaim Lowenstein,

Civil No. 10-2857 DWF/AJB

Plaintiff,

v.

PRETRIAL SCHEDULING ORDER

Tom Kane, Jr., et al.,

Defendants.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern these proceedings. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

Discovery Plan

1. Discovery shall be commenced in time to be completed by June 1, 2011.
2. All pre-discovery disclosures required by Rule 26(a)(1) shall be completed on or before November 2, 2010.
3. Plaintiff shall disclose the identity of expert witnesses, required under Rule 26(a)(2)(A) on or before March 1, 2011. Plaintiff shall make the full disclosures required by Rule 26(a)(2)(B), accompanied by the written report prepared and signed by the expert witness, on or before May 1, 2011.
4. Defendant shall disclose the identity of expert witnesses, required under Rule 26(a)(2)(A) on or before March 1, 2011. Defendant shall make the full disclosures required by Rule 26(a)(2)(B), accompanied by the written report prepared and signed by the expert witness, on or before May 1, 2011.
5. No more than 30 interrogatories [counted in accordance with Fed. R. Civ. R. 33(a)] shall be served by either side.
6. No more than 6 depositions, excluding expert witness depositions, shall be taken by either side. Each side shall take no more than 3 expert depositions. Expert discovery, including depositions, shall be completed by June 1, 2011.

Non-Dispositive Motions

(Non-dispositive motions may be scheduled for hearing by calling Kathy Thobe, Calendar Clerk, 651-848-1210.)

1. All motions which seek to amend the pleadings or add parties must be served by January 1, 2011. Any motions to amend to allege punitive damages must be served by the discovery deadline date.
2. All other non-dispositive motions and supporting documents, including those which relate to discovery, shall be served and filed by July 1, 2011.
3. Prior to scheduling any non-dispositive motion, parties are encouraged to consider whether the motion, including motions relating to discovery and scheduling, can be informally resolved through telephone conference with the Magistrate Judge. All non-dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rules 7.1, 37.1, and **shall be presented in a form that complies with Local Rule 37.2.**

Dispositive Motions

1. All dispositive motions shall be served and filed by the parties by September 1, 2011. (Counsel are advised that they must schedule this hearing by calling Calendar Clerk Brenda Schaffer, 651-848-1296.)
2. All dispositive motions shall be scheduled, filed and served in compliance with Local Rule 7.1.

Trial

This case shall be ready for a **Jury** trial on January 1, 2012, or upon resolution of any pending dispositive motions. Each side may call no more than 3 expert witnesses. Anticipated length of trial is 3-5 days.

Dated: October 20, 2010

s/Arthur J. Boylan
Arthur J. Boylan
United States Chief Magistrate Judge